

PTO/SB/21 (09-06)

Approved for use through 03/31/2007. OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

**TRANSMITTAL
FORM**

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission

6

Application Number

09/879,220

Filing Date

06-13-2001

First Named Inventor

HOLTZMAN ET AL

Art Unit

2143

Examiner Name

AVELLINO, JOSEPH E.

Attorney Docket Number

BL055-GN003-CIP

ENCLOSURES (Check all that apply)

Fee Transmittal Form



Fee Attached



Amendment/Reply



After Final



Affidavits/declaration(s)



Extension of Time Request



Express Abandonment Request



Information Disclosure Statement



Certified Copy of Priority Document(s)

Reply to Missing Parts/
Incomplete ApplicationReply to Missing Parts
under 37 CFR 1.52 or 1.53

Drawing(s)



Licensing-related Papers



Petition

Petition to Convert to a
Provisional Application

Power of Attorney, Revocation



Change of Correspondence Address



Terminal Disclaimer



Request for Refund



CD, Number of CD(s) _____



Landscape Table on CD



After Allowance Communication to TC

Appeal Communication to Board
of Appeals and InterferencesAppeal Communication to TC
(Appeal Notice, Brief, Reply Brief)

Proprietary Information



Status Letter

Other Enclosure(s) (please identify
below):

ITEMIZED RETURN POST CARD

RemarksISSUE FEE TRANSMITTAL (DUP) AND COMMENTSON STATEMENT OF REASONS FOR
ALLOWANCE (2 PGS)**SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT**

Firm Name

TAFT, STATTINIUS & HOLLISTER, LLP

Signature

Printed name

DAVID A. MANCINO

Date

12-13-2006

Reg. No.

39,289

CERTIFICATE OF TRANSMISSION/MAILINGI hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with
sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on
the date shown below:

Signature

Typed or printed name

SHARON A. SHELTON, PARALEGAL

Date

12-13-2006

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.



Certificate of Mailing

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Mail Stop Issue Fee, Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450 on:

12/13/2006

(Date)

Sharon A. Shelton
Sharon A. Shelton

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of

Applicant : Holtzman, et al
Serial No. : 09/879,220
Filed On : June 13, 2001
Title : SYSTEM AND METHOD FOR SCORING ELECTRONIC MESSAGES
Docket No. : BL055-GN003-CIP (fka OPI-101-CIP II)
Examiner : AVELLINO, JOSEPH E.
Art Unit :

Commissioner for Patents
Alexandria, VA 22313-1450

COMMENTS ON STATEMENT OF REASONS FOR ALLOWANCE

Applicant acknowledges that the examiner has set forth reasons for allowance in the Notice of Allowance dated December 1, 2006.

In response, applicant notes that the invention is defined by the claims. Therefore, applicant reserves the right to distinguish the invention over the prior art based upon any element or combination of elements set forth in the claims.

Further, applicant does not necessarily adopt any statements made by the examiner as a complete or accurate construction of any claim term.


COMMENTS ON STATEMENT OF REASONS FOR ALLOWANCE

Docket No. BL055-GN003-CIP

Serial No. 09/879,220

Finally, it is applicant's position that the eWatch reference is not prior art because it is not enabling to a person of ordinary skill.

Respectfully submitted,


By _____
David A. Mancino
Reg. No. 39,289

030074

TAFT, STETTINIUS & HOLLISTER LLP

425 Walnut Street, Suite 1800

Cincinnati, OH 45202-3957

(513) 357-9331

mancino@taftlaw.com